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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,730	07/16/2003	Miska M. Hannuksela	061602-3486	9027
30542 7590 05/29/2008 FOLEY & LARDNER LLP P.O. BOX 80278 SAN DIEGO, CA 92138-0278				
EXAMINER				
SENFL BEHROOZ M				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
05/29/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/620,730

Applicant(s)

HANNUKSELA, MISKA M.

Examiner

BEHROOZ SENFI

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/30/2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CIS)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/17/2008 has been entered.

Claims 1 – 8 have been canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 15 and 17 – 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Tranchard (US 5,680,483).

Regarding claim 15, Tranchard discloses, a method of encoding a video sequence (i.e., figs. 1 and 4) comprising; providing, in an encoded bit-stream, a first indication corresponding to an intra coded picture (i.e., fig. 1, indication of the type of the picture, I picture, also the reorganization of the picture necessitate the indication of the picture type, col. 8, lines 1-32), the first indication indicating whether or not at least a part of at least one picture is encoded with reference to a picture preceding the intra

coded picture in encoding order, the at least one picture having an encoding order succeeding the intra coded picture (i.e., col. 8, lines 1-32, indication of P picture which is motion compensated based on the preceding picture of the type I picture, also the reorganization of the picture necessitate the indication of the picture type), and performing motion compensated prediction for a second picture with reference to the at least one picture (i.e., col. 8, lines 8-11, second type of picture P is motion compensated with reference to at least one picture).

Regarding claim 17, Tranchard discloses, a method according to claim 15, wherein the first indication is provided in a picture header (i.e., col. 8, lines 35-37 and lines 49-51, indicating header indicating picture type and additional information).

Regarding claim 18, Tranchard discloses, a method according to claim 15, wherein the first indication is provided in a slice header (i.e., col. 8, lines 47-52, indication is provided in a slice header).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9 – 14, 16 and 19 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tranchard (US 5,680,483) in view of Sullivan (US 2003/0156640).

Regarding claim 16, Tranchard discloses, a method of encoding a video sequence comprising; providing, in an encoded bit-stream, a first indication

corresponding to an intra coded picture, and picture header providing information regarding the picture, as discussed in the above claims 1 and 17 (i.e., figs. 1 and 4, indication of the type of the picture, I picture, col. 8, lines 1-32).

Tranchard is silent in regards to explicit of, network abstraction layer unit-type syntax.

Sullivan (i.e., page 3, paragraph 0038) teaches the above subject matter, network abstraction layer unit-type syntax.

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to use the network abstraction layer unit as suggested by Sullivan in video coding and transmission of Tranchard to improve method of video encoding and decoding and provide and enhance functionality such as random accessibility, as suggested by Sullivan (i.e., page 2, paragraph 0022).

Regarding claim 19, the combination of Tranchard and Sullivan teaches, random access point (Sullivan, fig. 5, indication of random access).

Regarding claim 20, Tranchard discloses, a method of decoding an encoded bit-stream (i.e., fig. 7, DEC) comprising, retrieving from the encoded bit-stream a first indication corresponding to an intra-coded picture (i.e., col. 8, lines 1-8), the first indication indicating that all decoded coded pictures at and subsequent to the intra-coded picture can be correctly decoded when a decoding process is started from the intra-coded picture and based on the decoded first indication start decoding from the intra-coded picture and subsequent pictures (i.e., col. 8, lines 1-8 and 19-32).

Tranchard is silent in regards to explicit of, decoding from intra-coded picture and subsequent pictures in display order, as specifies in the claim.

Sullivan (i.e., figs. 2-3 and fig. 7, page 1, paragraphs 0015-0016 and page 2, paragraph 0021) clearly teaches decoding from intra-coded picture and subsequent pictures in display order.

In view of the above, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to improve the video coding and decoding of Tranchard in accordance with the teaching of Sullivan, for providing improvement in video encoding/decoding and enhance functionality such as random accessibility, as suggested by Sullivan (i.e., page 2, paragraph 0022).

Regarding claim 21, the combination of Tranchard and Sullivan teaches, a method according to claim 20, further comprising; decoding from the encoded bit-stream a second indication corresponding to a first coded picture, the second indication indicating whether or not the first coded picture can be correctly decoded when decoding is started from the intra-coded picture, discarding the first coded picture without decoding; and continuing the decoding process with the encoded pictures succeeding the first coded picture in the decoding order (Sullivan, fig. 7, best efforts decoding and assured decoding, page 6, paragraphs 0077-0080).

Regarding claim 22, the combination of Tranchard and Sullivan teaches, a method according to claim 20, wherein the indication is retrieved from network abstraction layer unit-type syntax (Sullivan, page 3, paragraph 0038).

Regarding claim 23, the combination of Tranchard and Sullivan teaches, a method according to claim 20, wherein the indication is retrieved from a picture header (Tranchard, col. 8, lines 35–37 and lines 49–51).

Regarding claim 24, the combination of Tranchard and Sullivan teaches, a method according to claim 20, wherein the indication is retrieved from a slice header (Tranchard, col. 8, lines 47–52).

Regarding claim 25, the combination of Tranchard and Sullivan teaches, a method according to claim 20, wherein a random access location is determined by examining sub-sequence identifiers for encoded pictures (Sullivan, figs. 5 and 8).

Regarding claims 26 and 32, the limitations claimed are substantially similar to claim 20, therefore the ground for rejecting claim 20 also applies here.

Regarding claims 27–31 and 33, the limitations claimed are substantially similar to claims 21–25, therefore the ground for rejecting claims 21–25 also applies here.

Regarding claim 9, the limitations claimed are substantially similar to claim 20, therefore the ground for rejecting claim 20 also applies here.

Regarding claim 10, the limitations claimed are substantially similar to claim 21, therefore the ground for rejecting claim 21 also applies here.

Regarding claims 11 – 14, the limitations claimed are substantially similar to claims 22–25, therefore the ground for rejecting claims 22–25 also applies here.

Contact

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrooz Senfi whose telephone number is 571-272-7339. The examiner can normally be reached on M-F 7:00-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Behrooz Senfi/
Examiner
Art Unit 2621